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SUBJECT: Judicial Training a Potential Change Agent for Iraq's Rule of Law

11. SUMMARY: Speaking before the U.S. Embassy-hosted Rule of Law (ROL) Community Forum, the Dean of the Judicial Training Institute (JTI), created in the wake of the Baathist "bloodless revolution" of 1968 as part of the Ministry of Justice, advocated increasing the institute's resources and updating its curriculum to increase professionalism within Iraq's legal community. Dean Ahlam al-Jabiri spoke of the need to improve rehabilitation programs in prisons, overall security for Iraqi citizens, and sentencing guidelines. She concluded that "the salvation of Iraq lies in the rule of law." END SUMMARY.

12. Dean Ahlam al-Jabiri spoke to the ROL Community Forum March 11 about the work of the Institute in preparing Iraqis to become judges and prosecutors. The institute was originally created by Iraq's Revolutionary Command Council, she said, "based on the objectives of the nationalism and socialism of the July 17-30, 1968 revolution, in building a modern state with efficient scientific and technical services to safeguard the achievements of the revolution." Its primary role today is to train entry-level judges and prosecutors. Candidates have to be lawyers or employees from one of the ministries and are usually associated with ministry legal offices. Students are paid salaries by the Ministry of Justice during the two-year training period, and provided residential facilities at the JTI if needed. The JTI also provides some continuing legal education for lawyers and in-service judges. Anyone who fails to graduate is obligated to return all compensation received during the two educational years of the program. Applicants must be graduates of an approved Iraqi law school, pass an entrance exam and interview, and have three years experience in practicing law or holding a law-related job in a government office to be admitted.

13. The curriculum is reviewed almost annually by the Governing Board of the JTI, which includes the Chief Judge or deputy of the Court of Cassation, Chief Prosecutor, and President of the Bar Association. Courses address legal theory (philosophy of Islamic law, political sociology, research methods and legal writing) and practical study (civil and criminal procedure) in the first year. The second year of study includes classes on criminal investigation, forensic science and criminal psychology. They anticipate adding a course on commercial law within the year.

14. Dr. al-Jabiri began the Forum presentation with an overview of the current status of law in Iraq. She applauded the separation of the Higher Judicial Council from the Ministry of Justice, saying a separation of power strengthens the judicial system. She advocated fitting punishment to crime with a strict interpretation of law, so that sentencing guidelines would take into account whether a crime was intentional or unintentional, and objected to the idea of general amnesties. Iraqi law calls for rehabilitation programs in prisons, she noted, but the corrections system in Iraq currently lacks both rehabilitation and post-incarceration services. She concluded with slides showing that the JTI had suffered years of neglect, both in its physical structure and its resources. The building has been renovated, but the library needs support.

15. COMMENT: The need for improved legal education for entry-level

judges and prosecutors and ongoing training in Iraq is great. One means of addressing it will be the Judicial Education and Development Institute (JEDI), a professional development institute for judges, attorneys and court officials, which will begin classes for judges, attorneys and court officials, which will begin classes later this year. JEDI is to be administered by the Higher Judicial Court with technical support from the Department of State's Bureau of International Narcotics and Law Enforcement (INL). The INL-supported JEDI program will focus on instruction in both substantive areas of the law and technical training for judges, prosecutors and court administrators. It is hoped that this new facility and improvements in existing institutions, such as those of Dr. al-Jabiri, will advance Iraq's rule of law toward greater professionalism and modern judicial and court administration practices. END COMMENT.

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